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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,420	06/04/2001	Junji Sato	01327/LH	1412

1933 7590 01/12/2005

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EXAMINER

HUNTSINGER, PETER K

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/872,420	SATO ET AL.	
	Examiner	Art Unit	
	Peter K. Huntsinger	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/13/01, 8/13/04</u> | 6) <input type="checkbox"/> Other: ____ |

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Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 8, 15, and 17 are objected to because of the following informalities:
Claim 8 refers to the first consistent data and a second consistent data that is present in claim 6. Claim 8 should be dependent on claim 6 and not claim 7.
Claim 15, line 8 should say "JOB data based on the setting data". Claim 17, line 20 should say "JOB data which has been selected". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7, 9-25, 27, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kadowaki.

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Referring to claim 1, Kadowaki discloses an image forming apparatus, comprising: an image information receiving section (external interface circuit 51 of Fig. 17, col. 13, lines 1-8) to receive image information including image data (PDL Data, col. 5, lines 7-15) and setting data indicating a control condition at the time of an image formation (Fig. 4F, col. 6, lines 4-14); a first storing section to store temporarily the image information received by the image information receiving section as one of a plurality of JOB data (full page image memory 58 of Fig. 17, col. 3, lines 10-12); an image forming section to form an image based on the image information stored in the first storing section (image formation unit 60 of Fig. 17, col. 13, lines 12-15); a second storing section to store image information corresponding to specific JOB data among the image information received by the image information receiving section (spooler hard disk 56 of Fig. 17-18, col. 13, lines 6-9, 31-42); a selecting section (controller 52 of Fig. 17, col. 13, lines 22-23) to select JOB data to be combined from the plurality of JOB data stored in the second storing section (S92 of Fig. 24, col. 17, lines 47-51); a judging section (controller 52 of Fig. 17, col. 13, lines 22-23) to judge the propriety of the JOB data selected by the selecting section based on the content of the setting data of the selected JOB data (S92 of Fig. 24, col. 17, lines 47-51); and a control section (controller 52 of Fig. 17, col. 13, lines 22-23) to combine a plurality of JOB data judged as being selectable by the judging section into a single set of combined JOB data (S94 of Fig. 24 col. 17, lines 57-59), to store the combined JOB data in the first storing section and to control the image forming section based on the combined JOB data (Fig. 20, col. 15, lines 18-31).

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Referring to claim 2, Kadowaki discloses the image forming apparatus of claim 1, wherein the image information receiving section is an image reading section to read an image on a document (image reader 32 of Fig. 17, col. 13, lines 16-21).

Referring to claim 3, Kadowaki discloses the image forming apparatus of claim 1, wherein the judging section and the control section are constructed by a common controlling means (controller 52 of Fig. 17, col. 13, lines 22-23).

Referring to claim 4, Kadowaki discloses the image forming apparatus of claim 1, wherein the plurality of JOB data are combined based on the premise that the setting data of each of the plurality of JOB data contains consistent data having a content consistent with that of other JOB data, and wherein when JOB data of the plurality of JOB data does not contain the consistent data, the judging section judges the propriety of the JOB data having not the consistent data (S92 of Fig. 24, col. 17, lines 14-26, 47-51).

Referring to claim 5, Kadowaki discloses the image forming apparatus of claim 1, wherein the plurality of JOB data are combined based on the premise that the setting data of each of the plurality of JOB data contains consistent data having a content consistent with that of other JOB data, and wherein when first JOB data has been selected by the selecting section and when second JOB data is currently selected, the judging section judges the second JOB data as being selectable only when the second JOB data contains consistent data having a content consistent with that of the first JOB data (S92 of Fig. 24, col. 17, lines 14-26, 47-51).

Referring to claim 7, Kadowaki discloses the image forming apparatus of claim 4, wherein the consistent data is at least one of specific application function setting information, image size information, image resolution information and compression ratio information (L107 of Fig. 4F, col. 6, lines 4-14).

Referring to claim 9, Kadowaki discloses the image forming apparatus of claim 1, wherein the setting data includes consistent data supposed to be consistent with that of other JOB data when JOB data is combined with the other JOB data, and utility data based on which the JOB data is executed when an image is formed by the image forming section based on the combined JOB data (L108 of Fig. 4F, col. 6, lines 4-14).

Referring to claim 10, Kadowaki discloses the image forming apparatus of claim 9, wherein the consistent data is at least one of specific application function setting information, image size information, image resolution information and compression ratio information (L107 of Fig. 4F, col. 6, lines 4-14) and the utility data is at least one of one side/both side record designating information, feed tray selecting information and application function setting information except the specific application function setting information contained in the consistent data (L108 of Fig. 4F, col. 6, lines 4-14).

Referring to claim 11, Kadowaki discloses the image forming apparatus of claim 1, wherein the setting data includes consistent data supposed to be consistent with that of other JOB data when JOB data is combined with the other JOB data (L107 of Fig. 4F, col. 6, lines 4-14), utility data based on which the JOB data is executed when an image is formed by the image forming section based

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on the combined JOB data (L108 of Fig. 4F, col. 6, lines 4-14), and changeable data having a changeable content based on which the JOB data is executed when an image is formed by the image forming section based on the combined JOB data (L111 of Fig. 4F, col. 6, lines 12-13).

Referring to claim 12, Kadowaki discloses the image forming apparatus of claim 11, wherein the consistent data is at least one of specific application function setting information, image size information, image resolution information and compression ratio information (L107 of Fig. 4F, col. 6, lines 4-14) and the utility data is at least one of one side/both side record designating information, feed tray selecting information and application function setting information except the specific application function setting information contained in the consistent data (L108 of Fig. 4F, col. 6, lines 4-14), and the changeable data is at least one of record set number setting information of the combined JOB data, record material discharge mode setting information, and partial information of the application function setting information in the utility data (L111 of Fig. 4F, col. 6, lines 12-13).

Referring to claim 13, Kadowaki discloses the image forming apparatus of claim 1, wherein the setting data contains storing information indicating the specific JOB data to be stored in the second storing section (Fig. 11, col. 8, lines 55-57, 65-67, col. 9, lines 1-4).

Referring to claim 14, Kadowaki discloses the image forming apparatus of claim 1, further comprising a designating section to designate image information among the image information received by the image information receiving section

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as the specific JOB data to be stored in the second storing section (Fig. 19A and 19B, col. 14, lines 23-51).

Referring to claim 15, Kadowaki discloses an image forming apparatus, comprising: an image information receiving section (external interface circuit 51 of Fig. 17, col. 13, lines 1-8) to receive image information including image data (PDL Data, col. 5, lines 7-15) and setting data indicating a control condition at the time of an image formation (Fig. 4F, col. 6, lines 4-14); a first storing section to store temporarily the image information received by the image information receiving section as one of a plurality of JOB data (full page image memory 58 of Fig. 17, col. 3, lines 10-12); an image forming section to form an image based on the image information stored in the first storing section (image formation unit 60 of Fig. 17, col. 13, lines 12-15); a second storing section to store image information corresponding to specific JOB data among the image information received by the image information receiving section (spooler hard disk 56 of Fig. 17-18, col. 13, lines 6-9, 31-42); a selecting section (operation unit 54 of Fig. 17, col. 14, lines 14-19) to select JOB data to be combined from the plurality of preserved JOB data (Fig. 19A, col. 14, lines 23-31); a control section to combine a plurality of JOB data selected by the selecting section into a single set of combined JOB data (controller 52 of Fig. 17, col. 13, lines 22-29), to store the combined JOB data in the first storing section and to control the image forming section so as to conduct an image formation of the combined JOB data based on the setting data of optional JOB data selected from the plurality of JOB data (Fig. 20, col. 15, lines 18-31).

Referring to claim 16, Kadowaki discloses the image forming apparatus of claim 15, further comprising a JOB designating means (operation unit 54 of Fig. 17, col. 14, lines 14-19) for designating the optional JOB data having the setting data indicating a control condition at the time of conducting an image formation for the combined JOB data Fig. 19B, col. 14, lines 34-40).

Referring to claim 17, Kadowaki discloses the image forming apparatus of claim 15, wherein the image formation is executed for the combined JOB data based on a control condition corresponding to the content of the setting data of the JOB data which has been selected firstly among the plurality of JOB data selected by the selecting section (S81 of Fig. 20, col. 14, lines 61-65).

Referring to claim 18, Kadowaki discloses the image forming apparatus of claim 15, wherein the setting data contains storing information indicating the specific JOB data to be stored in the second storing section (Fig. 11, col. 8, lines 55-57, 65-67, col. 9, lines 1-4).

Referring to claim 19, Kadowaki discloses the image forming apparatus of claim 15, further comprising a designating section (operation unit 54 of Fig. 17, col. 14, lines 14-19) to designate image information among the image information received by the image information receiving section as the specific JOB data to be stored in the second storing section (Fig 19B, col. 14, lines 34-40).

Referring to claim 20, Kadowaki discloses an image forming apparatus, comprising: an image information receiving section (external interface circuit 51 of Fig. 17, col. 13, lines 1-8) to receive image information including image data (PDL Data, col. 5, lines 7-15) and setting data indicating a control condition at the

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time of an image formation (Fig. 4F, col. 6, lines 4-14); a first storing section to store temporarily the image information received by the image information receiving section as one of a plurality of JOB data (full page image memory 58 of Fig. 17, col. 3, lines 10-12); an image forming section to form an image based on the image information stored in the first storing section (image formation unit 60 of Fig. 17, col. 13, lines 12-15); a second storing section to store image information corresponding to specific JOB data among the image information received by the image information receiving section (spooler hard disk 56 of Fig. 17-18, col. 13, lines 6-9, 31-42); a selecting section (operation unit 54 of Fig. 17, col. 14, lines 14-19) to select JOB data to be combined from the plurality of preserved JOB data (Fig. 19A, col. 14, lines 23-31); a control condition designating means (operation unit 54 of Fig. 17, col. 14, lines 14-19) for designating a control condition for a single set of combined JOB data composed of a plurality of JOB data selected by the selecting section (Fig. 19B, col. 14, lines 34-40); and a control section (controller 52 of Fig. 17, col. 13, lines 22-29) to control the image forming section so as to execute an image formation for the combined JOB data based on the control condition designated by the control condition designating means (Fig. 20, col. 15, lines 18-31).

Referring to claim 21, Kadowaki discloses the image forming apparatus of claim 20, wherein the setting data contains storing information indicating the specific JOB data to be stored in the second storing section (Fig. 11, col. 8, lines 55-57, 65-67, col. 9, lines 1-4).

Referring to claim 22, Kadowaki discloses the image forming apparatus of claim 20, further comprising a designating section (operation unit 54 of Fig. 17, col. 14, lines 14-19) to designate image information among the image information received by the image information receiving section as the specific JOB data to be stored in the second storing section (S81 of Fig. 20, col. 14, lines 61-65).

Referring to claim 23, Kadowaki discloses the image forming apparatus of claim 1, wherein the control section controls the image forming section so as to execute an image formation for the combined JOB data in accordance with a sequentially-selected order of each of the plurality of JOB data selected by the selecting section (S81 of Fig. 20, col. 14, lines 61-65).

Referring to claim 24, Kadowaki discloses the image forming apparatus of claim 1, further comprising an indicating section by which a content of the setting data of each JOB data stored in the second storing section can be confirmed (Fig 19B, col. 14, lines 34-40).

Referring to claim 25, Kadowaki discloses the image forming apparatus of claim 24, wherein when the judging section judges the selected JOB data as being improper, the indicating section indicates the ground of the judgment (Fig 19B, col. 14, lines 34-40).

Referring to claim 27, Kadowaki discloses the image forming apparatus of claim 1, further comprising an elimination designating means for designating JOB data to be eliminated among the plurality of JOB data stored in the second storing section (col. 11, lines 54-55).

Referring to claim 28, Kadowaki discloses the image forming apparatus of claim 1, wherein the control section is capable of coping with any one of an image combining mode to form an image by combining each image data based on only the each image data of the plurality of JOB data selected by the selecting section (col. 7, lines 25-39) and a JOB data combining mode to form an image by combining each JOB data based on each setting data and each image data of the plurality of JOB selected by the selecting section (Fig 19A, col. 14, lines 23-31).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadowaki as applied to claim 1 above, and further in view of H.A.M. Van Oijen.

Referring to claim 6, Kadowaki discloses the image forming apparatus of claim 1, but does not expressly disclose the judging section judging second job data on not containing first consistent data and containing second consistent data. H.A.M. Van Oijen discloses judging JOB data as being selectable only when the second JOB data does not contain first predetermined consistent data

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(Step 503 of Fig. 5, col. 5, lines 49-53) and contains second consistent data (Step 506 of Fig. 5, col. 5, lines 49-57) having a content consistent with that of second consistent data of the first JOB data (Fig. 4, col. 4, lines 1-3). Kadowaki and H.A.M. Van Oijen are combinable because they are from the same field of combining print jobs. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate judging job data as combinable when job data does not contain a first condition but contains a second condition as disclosed by H.A.M. Van Oijen into the printing system of Kadowaki. The motivation for doing so would have been to allow combining print jobs that do not require a particular format such as stapling, punching, or laminating. Therefore, it would have been obvious to combine H.A.M. Van Oijen with Kadowaki to obtain the invention as specified in claim 6.

Referring to claim 8, Kadowaki and H.A.M. Van Oijen disclose the image forming apparatus of claim 6, wherein the first consistent data is specific application function setting information (Kadowaki, Fig 4F, col. 6, lines 4-14) and the second consistent data is at least one of image size information, image resolution information and compression ratio information (Kadowaki, col. 8, lines 27-34)

7. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kadowaki as applied to claim 1 above, and further in view of Hamilton.

Kadowaki discloses the image forming apparatus of claim 1, but does not expressly disclose issuing a warning when selected job data is judged as

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improper. Hamilton discloses issuing a warning when selected job data is improper (Step 394 of Fig. 32, col. 16, lines 41-44). Kadowaki and Hamilton are combinable because they are from the same field of combining print jobs. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to implement Hamilton's warning means into the system of Kadowaki. The motivation for doing so would have been to notify the user if selected pages to be combined into a job are not combinable. Therefore, it would have been obvious to combine Hamilton with Kadowaki.

Conclusion

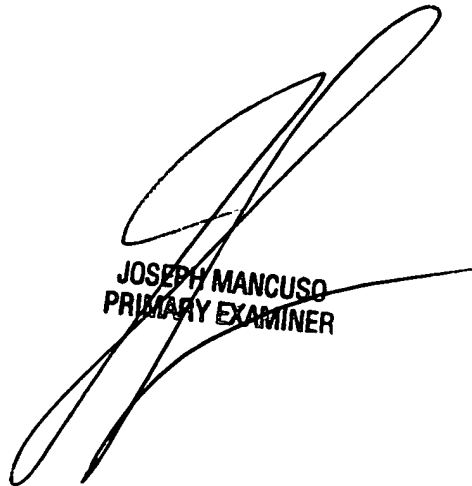
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (703)306-4088. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH



JOSEPH MANCUSO
PRIMARY EXAMINER